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IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION

Courthouse News Service,

Plaintiff,

vs.

David Yamasaki, in his official capacity
as Court Executive Officer/Clerk of the
Orange County Superior Court,

Defendant.

Case No. 8:17-cv-00126 AG (KESx)

**JOINT REQUEST FOR
SUMMARY BENCH TRIAL**

Court Trial:
May 29, 2018 at 9:00 a.m.

Plaintiff Courthouse News Service (“CNS”) and Defendant David Yamasaki, in his official capacity of Court Executive Officer / Clerk of the Orange County Superior Court (“Defendant”), jointly waive their rights to a full, live trial and request a summary bench trial by the Court of all of the remaining issues, based on a stipulated record, with live closing arguments.

Pursuant to their agreement, and subject to the approval of the Court, the parties propose a summary bench trial on the following terms and conditions:

1. The current trial date of May 29, 2018 will be vacated.
2. The stipulated record for the summary bench trial will be comprised of the record on Defendant’s motion for summary judgment in its entirety, plus limited, additional evidence to be submitted by the parties in response to issues raised by the

1 Court, including updated turnaround statistics and certain designated deposition
2 testimony.

3 3. In accordance with the Court's Order dated May 15, 2018, the parties
4 will file a revised proposed pretrial conference order on May 24, 2018.

5 4. The parties will specify the stipulated record for the Court and submit
6 additional evidence not currently in the record on May 25, 2018. If the Court would
7 like, the parties will provide the complete stipulated record in hard copy for
8 chambers.

9 5. Each party will file a full trial brief and proposed findings of fact and
10 conclusions of law on May 29, 2018.

11 6. Each party will be permitted a one-hour, live closing argument that
12 summarizes its arguments and evidence, and responds to any questions from the
13 Court, on a date to be set by the Court.

14 The parties respectfully request that the Court approve their joint request for a
15 summary bench trial on the terms and conditions above. A proposed order is
16 submitted herewith.

17 Dated: May 17, 2018

BRYAN CAVE LEIGHTON PAISNER LLP

18 By: /s/ John W. Amberg
19 John W. Amberg

20 Attorneys for Plaintiff
21 Courthouse News Service

22 Dated: May 17, 2018

JONES DAY

23 By: /s/ Robert A. Naeve
24 Robert A. Naeve

25 Attorneys for Defendant
26 DAVID YAMASAKI
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